

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**ROBERT HEARD, #373634-11-2,**

Plaintiff,

v.

**DAVID L. HORAN, et al.,**

Defendants.

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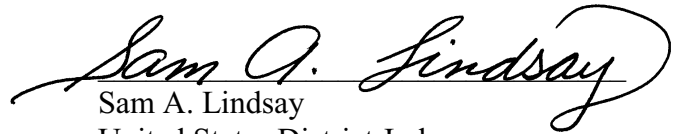
Civil Action No. **3:14-CV-0430-L**

**ORDER**

Before the court is Plaintiff Robert Heard's ("Plaintiff") *pro se* Motion for Leave to Proceed In Forma Pauperis ("Motion") (Doc. 4), filed February 4, 2014. This case was referred to Magistrate Judge David L. Horan, and then reassigned to Magistrate Judge Renee Harris Toliver on the same date. The magistrate judge entered Findings, Conclusions, and Recommendation of the United States Magistrate Judge ("Report") on February 11, 2014, recommending that Plaintiff's Motion be denied and that this action be dismissed as barred by the three-strike provision of 28 U.S.C. § 1915(g). The court had not received any objections to the Report as of the date of this order.

Having reviewed the pleadings, file, and record in this case, and the findings and conclusions of the magistrate judge, the court **accepts** the magistrate judge's findings and conclusions as those of the court. Accordingly, the court **denies** Plaintiff's Motion for Leave to Proceed In Forma Pauperis and **dismisses** this action. This dismissal is with prejudice to the refiling of an in forma pauperis lawsuit raising the same claims as herein presented, but without prejudice to the refiling of this lawsuit with full payment of the \$400 filing fee.

**It is so ordered** this 28th day of February, 2014.

  
Sam A. Lindsay  
United States District Judge